

REMARKS

Prior to this communication, claims 1 – 5, 7 – 19, and 21 – 28 are pending. Examination and reconsideration in view of the following remarks are respectfully requested.

35 U.S.C. 103 Rejections

Claims 1, 4 – 5, and 7 – 10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application No. 2002/0167444 to Lee (hereinafter “Lee”), in view of U.S. Patent Application No. 2004/0209648 to Chen (hereinafter “Chen”).

Claim 1 recites a method of locating an immobile target fixedly positioned at a location via a mobile base that includes, among other things, “transmitting a first wireless signal from the mobile base at a first time,” “receiving the first wireless signal at the immobile target fixedly positioned at the location,” “receiving the second wireless signal at the mobile base at a second time,” and “locating the immobile target based on the angle of arrival and the time difference.”

As indicated on page 2 of the Action, “Lee fails to disclose that transmitting the first wireless signal is from a mobile base [station].” To support the rejection of claim 1, the Examiner asserted that Chen “discloses this feature in the Abstract and paragraph 12. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system in Lee by incorporating this teaching in Chen for the purpose of acquiring relative locations and velocities.” (Page 2, Action.)

As an initial matter, Applicant disagrees with the Examiner’s characterization of the teachings of Lee. However, because the secondary reference, Chen, fails to cure the admitted deficiencies of Lee, such arguments are not necessary at this time. The Abstract and paragraph 12 of Chen (upon which the Examiner relies) read as follows:

(Abstract) A radio transmission memory card, and a handset transmission electronic transaction system and method using the same, wherein transaction system includes a handset, a memory card, a user identification

card, a mobile base station and a transaction terminal, and between the handset, the memory card, the user identification card, the mobile base station and the transaction terminal is provided with a radio transmission circuit structure. When a handset holder proceeds a transactions at the transaction terminal, a transaction message and a confirmation message are sent by both sides, the transaction terminal and the mobile base station respectively; the transaction terminal delivers a purchased product upon receiving the confirmation message and sends a message of completed transaction upon delivery of the product; and the mobile base station sends a message to inform a payment terminal to charge the transaction amount using another radio transmission circuit structure.

[0012] In accordance with the invention, the radio transmission memory card, and the radio transmission electronic transaction system and method using the same, the system comprises a handset, a user identification card (commonly referred to as subscriber identity module, SIM), a mobile base station, and a transaction terminal. Between the handset, the user identification card, the mobile base station and the transaction terminal is provided with a radio transmission circuit structure, and between the mobile base station and a payment terminal is further provided with another radio transmission circuit structure.

These passages of Chen only vaguely mention a mobile base station and do not describe transmitting the first wireless signal from a mobile base station, much less doing so for the purpose of acquiring relative locations and velocities. Therefore, the Examiner has failed to meet the Office's burden to establish obviousness, and Applicant requests withdrawal of the rejection of claim 1. Claims 4, 5, and 7 – 10 depend from claim 1, and therefore, are allowable for at least the reasons set forth above.

Dependent Claims 2 and 3

Claims 2 and 3 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lee in view of Chen and U.S. Patent Number 6,167,240 (hereinafter "Carlsson et al."). These claims depend from claim 1, and are patentable for the reasons set forth above.

Carlsson et al. is primarily focused on improving how signals are processed within a standard, traditional cell phone environment with a fixed geographical area through which mobile units (e.g., automobiles) pass. Carlsson et al. makes no mention of "locating the

immobile target based on the angle of arrival and the time difference,” as recited in claim 1. Therefore, Carlsson et al. does not overcome the deficiencies of Lee and Chen with respect to the “locating the immobile target based on the angle of arrival and the time difference,” as recited in claim 1.

Dependent Claim 11

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee “in view of Chen and Chen et al. (US 6,934,546).” Because there is no Chen et al. reference, we take this as a rejection based on Lee in view of Chen. For at least the same reasons set forth above, claim 11, which depends from allowable claim 1, is patentable.

Independent Claim 12 and Dependent Claims 15 – 20

Claims 12 and 15 – 20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lee in view of Chen and U.S. Patent Number 6,025,799 (hereinafter “Ho et al.”).

Claim 12 recites a “method of locating an immobile target fixedly positioned at a location from a mobile base” that includes “omni-directionally transmitting the activating signal from the omni-directional means at a first time while moving the mobile base,” and “locating the immobile target based on the signal travel time and the reception angle of the target signal.” As noted above with respect to claim 1, neither Lee nor Chen teaches or suggests “locating the immobile target based on the signal travel time and the reception angle of the target signal.” Accordingly, neither Lee nor Chen teaches the “locating the immobile target based on the signal travel time and the reception angle of the target signal” limitation of claim 12.

Ho et al. does not cure the deficiency of Lee and Chen.

Rather, Ho et al. discloses, with reference to FIG. 1, “a roadway with vehicular traffic travelling from lower left to upper right over two lanes between gantry uprights 12L and 12R. At each is an antenna array, 14L, 14R respectively.” (Col. 2, lines 37 – 40.) The gantry uprights appear to be immobile, and Ho et al. makes no suggestion and provides no motivation to make

them mobile (not an “immobile target” as recited) for locating any immobile target. The vehicle being located is traveling or mobile. Therefore, claim 12 and dependent claims 15 – 20 are allowable for at least the reasons set forth above.

Independent Claim 12, and Dependent Claims 13, and 21 – 28

Claims 12, 13, and 21 – 28 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lee in view of Chen, Ho et al., and Carlsson et al.

As noted above with respect to claim 12, neither Lee, Chen, nor Ho et al., either alone or in combination, teaches or suggests, all limitations of claim 12. Particularly, neither Lee, Chen, nor Ho et al. teaches or suggests “locating the immobile target” as recited in claim 12. Also as noted above with respect to claim 1, Carlsson et al. does not teach or suggest “locating the immobile target” either. As such, Carlsson et al. does not cure the deficiency of Lee, Chen, and Ho et al. Claim 12 is patentable over Lee, Chen, Ho et al., and Carlsson et al. Claim 13 depends from claim 12, and therefore, is allowable.

Claim 21 recites, among other things, “locating the selected immobile target based on the time difference and the reception angle.”

As noted above with respect to claim 12, neither Lee, Chen, Ho et al., nor Carlsson et al., either alone or in combination, teaches or suggests “the mobile base” as recited in claim 12. Accordingly, neither Lee, Chen, Ho et al., nor Carlsson et al., either alone or in combination, teaches or suggests “locating the selected immobile target based on the time difference and the reception angle,” as recited in claim 21. As such, claim 21 is patentable over Lee, Chen, Ho et al., and Carlsson et al. Claims 22 – 28, which depend from claim 21, and therefore, are allowable.

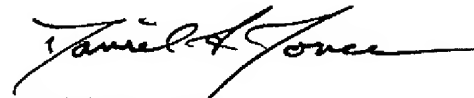
CONCLUSION

In view of the above remarks, the Applicant respectfully requests entry of this response and allowance of claims 1 – 5, 7 – 19, and 21 – 28. The undersigned is available for telephone

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consultation during normal business hours. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Daniel S. Jones", with a long horizontal flourish extending to the right.

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